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PLEASE NOTE OUR ^{NEW} NEW YORK ADDRESS

Wednesday, January 11, 2023

Via E-Court Filing

Judge Lorna G. Schofield
United States District Court, Southern District of New York
Thurgood Marshall, United States Courthouse
40 Foley Square
New York, NY 10007

**Re: Hye, Patrick v. The United States of America
Case No. 1:21-cv-06304
Our File No.: 21-001199**

Dear Judge Scofield:

I represent the Plaintiff in the aforementioned medical malpractice action.

The parties have now completed all depositions as were set forth in my letter to the Court on November 15, 2022.

The last deposition, that of Defendant Omar Tanweer, was completed yesterday on January 10, 2023.

I submit this letter to address the timing of the expert witness disclosures. I have discussed my concerns with counsel for the Defendants who take no position on the request which I make herein.

We do not yet have all the deposition transcripts back from the Court reporters for the depositions that have been completed. The parties must provide their experts with the deposition transcripts for review and analysis. This includes the deposition transcripts of four (4) physicians, to wit, Dr. James Stone, Dr. Peter Rozman, Dr. Alexander Beric and Dr. Omar Tanweer, and the transcripts of the Plaintiff, his wife, and his daughter. Since this is a medical malpractice action, the Plaintiff's experts are practicing physicians with busy schedules who will need to spend a significant amount of time reviewing the deposition testimony and compare same to the medical records and radiological studies to formulate their opinions. It is often difficult to control when physician experts can complete their reports, as that depends on their surgical and patient schedules coupled with their personal obligations. For that reason, I am respectfully requesting that the Court allow the parties to follow the following timeline for the completion of expert witness disclosure:

That the Plaintiff's experts' reports shall be due on February 22, 2023.

That the Defendants experts' reports shall be due on April 5, 2023.

That the experts' depositions shall be completed by May 12, 2023.

If the Court wishes to discuss the above, the parties will be happy to participate in a conference.

Thank you for your attention to this matter.

Respectfully,



Christina Ctorides

CC/ka

cc: David Farber, Esq. (Via ECF)
Rachel Bloom, Esq. (Via ECF)